

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION**

TRINITY TANK CAR, INC., a Delaware
Corporation, TRINITYRAIL MAINTENANCE
SERVICES, INC., a Delaware corporation, and
TRINITY INDUSTRIES LEASING
COMPANY, a Delaware corporation,

Plaintiffs,

v.

DAVIS-FROST, INC., a Minnesota
corporation,

Defendant.

Civil Action No.: 6:22-cv-22-NKM

**CONSENT MOTION FOR EXTENSION OF TIME
TO FILE RESPONSIVE PLEADINGS**

COMES NOW Defendant Davis-Frost, Inc. (“Davis-Frost”), by counsel, and for its Consent Motion for Extension of Time to File Responsive Pleadings (“Consent Motion”), states as follows:

1. Davis-Frost requests a brief two-week extension to its deadline to file responsive pleadings in this matter. Davis-Frost’s current deadline to file responsive pleadings is June 1, 2022. Davis-Frost is requesting that this deadline be extended to **June 15, 2022**.

2. Plaintiffs’ Complaint makes allegations regarding a series of incidents and transactions occurring over several years, and sets forth five legal theories under which Plaintiffs assert they are entitled to relief in an amount in excess of eight million dollars. See Compl. Since being retained, counsel for Davis-Frost has been endeavoring to get up to speed on the extensive factual history alleged in the Complaint, but given the numerosity of factual allegations and legal theories put at issue, Davis-Frost believes that an additional two weeks would allow it to prepare

more complete responsive pleadings to Plaintiffs' Complaint.

3. Davis-Frost has not previously sought an extension of time in this case.
4. Plaintiffs consent to the two-week extension Davis-Frost is requesting.
5. The ends of justice would be served by granting Davis-Frost's Consent Motion because no prejudice would result from an extension of only two weeks, and because allowing Davis-Frost sufficient time to prepare its responsive pleadings will likely help to clarify the issues actually in dispute in this litigation, increasing judicial economy.

WHEREFORE, Davis-Frost, Inc. prays that its Consent Motion for Extension of Time to File Responsive Pleadings be granted, that its deadline to file responsive pleadings to Plaintiffs' Complaint be extended to June 15, 2022, and for all other such relief as the Court deems just and proper.

Respectfully submitted,

DAVIS-FROST, INC.

By: /s/
Kevin L. Keller, Esquire (VSB No. 30731)
Patrick D. Blake (VSB No. 45194)
Paris H. Thompson, III (VSB No. 93809)
Willcox & Savage, P.C.
440 Monticello Avenue, Suite 2200
Norfolk, Virginia 23510
Telephone: 757.628.5500
Facsimile: 757.628.5566
kkeller@wilsav.com
pblake@wilsav.com
pthompson@wilsav.com
Counsel for Defendant Davis-Frost, Inc.

